## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA SOUTHERN DIVISION

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)	CASE NO. 1:07-CV-930-WKW
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## **ORDER**

On November 14, 2007, the Magistrate Judge filed a Recommendation (Doc. # 5) in this case. The plaintiff did not file an objection. After an independent and de novo review of the record, it is the ORDER, JUDGMENT and DECREE of the Court that:

- 1. The Recommendation (Doc. # 5) of the Magistrate Judge is ADOPTED.
- 2. The Petition for Writ of Habeas Corpus (Doc. #1) is DENIED.
- 3. The petition is DISMISSED without prejudice to afford the petitioner the opportunity to exhaust all state court remedies available to him.

An appropriate judgment will be entered.

DONE this 5th day of December, 2007.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE